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Subject: News Articles (For EPA Distribution Only)

BNA DAILY ENVIRONMENT REPORT ARTICLES

EPA Proposal May Not Streamline Chemical Reporting After All

By Pat Rizzuto

Posted April 23, 2019, 4:01 PM

A new electronic reporting system the EPA has suggested as part of a proposed rule revision could save chemical manufacturers time, but other aspects of the rule could be time-consuming, policy analysts said.

Environment Seen as Needing Help Beyond EPA Programs (1)

By Pat Rizzuto

Posted April 23, 2019, 2:29 PMUpdated April 23, 2019, 5:27 PM

Protecting the environment can no longer be viewed as the sole purview of EPA, senior corporate managers and former agency officials said April 23.

Cushion Barrier Beats Chemicals in Furniture Fire Resistance Study

By Pat Rizzuto

Posted April 23, 2019, 9:17 AM

Upholstered chairs made with a special fire-resistant barrier in the cushion were less likely to burn when exposed to an open flame than were chairs made with flame retardant chemicals, according to a <u>study</u> Underwriters Laboratories Inc. released April 23.

INSIDEEPA.COM ARTICLES

Former EPA Chiefs Call For 'Reconfiguring' Agency After Trump Rollbacks

Former EPA administrators from the George H.W. Bush, Clinton and Obama administrations say the agency should be "reconfigured" once President Donald Trump leaves office, potentially reversing staffing cuts and some Trump regulatory rollbacks but also overhauling EPA to address looming challenges such as climate change.

After CASAC Fallout, Wheeler Agrees To Narrow SAB Review Of EPA Rules

Administrator Andrew Wheeler is asking EPA's Science Advisory Board (SAB) to review just one of six pending rules the board had sought to assess, a step that sources note is narrow but may still be intended to better control the review's outcome and prevent fallout similar to what occurred recently when hand-picked clean air advisors said they lacked expertise to review their charge.

GREENWIRE ARTICLES

Wheeler vows to cooperate with science advisory panel

Sean Reilly, E&E News reporter Published: Tuesday, April 23, 2019



EPA Administrator Andrew Wheeler in a February file photo. Bastiaan Slabbers/Sipa USA/Newscom

This story was updated at 3:21 p.m. EDT.

EPA Administrator Andrew Wheeler is pledging closer cooperation with a key advisory panel following complaints last May the agency is slow and stingy in handing over information. In a newly posted letter, however, Wheeler largely brushed off the panel's bid, made last spring, to review the science underlying a number of particularly contentious agency proposals.

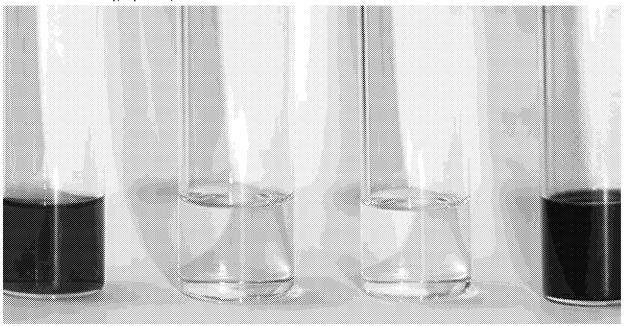
"Moving forward, the EPA will ensure that there is early engagement between the EPA and the full Science Advisory Board, including more rapid and frequent briefings to the SAB on major proposed regulations shortly after their release," Wheeler wrote last week to Michael Honeycutt, the board's chairman.

https://www.eenews.net/greenwire/2019/04/23/stories/1060206157

Groups sue again over deadly paint stripper

Ellen M. Gilmer, E&E News reporter

Published: Tuesday, April 23, 2019



Groups have sued EPA over inaction on methylene chloride. LHcheM/Wikimedia Commons

Environmental, public health and labor advocates are going to court over the Trump administration's continued allowance of commercial uses of a deadly chemical found in paint strippers.

The Labor Council for Latin American Advancement and the Natural Resources Defense Council filed suit last week over EPA's refusal to ban commercial uses of methylene chloride, which can cause heart failure and kill people exposed to it.

The Vermont Public Interest Research Group; Safer Chemicals, Healthy Families; and Lauren Atkins and Wendy Hartley — two mothers whose sons died while using the chemical — filed a similar lawsuit. They are represented by Bob Sussman, a high-ranking EPA official during the Obama and Clinton administrations.

Both challenges are in the 2nd U.S. Circuit Court of Appeals. The groups and individuals had previously sued EPA for inaction on the chemical.

https://www.eenews.net/greenwire/2019/04/23/stories/1060205707

CHEMICAL WATCH ARTICLES

Parliament approves draft EU regulation for product compliance

23 April 2019 / Electrical & electronics, Enforcement, Europe, RoHS, Substances of concern

The European Parliament has endorsed a draft regulation that aims to ensure better checks and safety of goods sold on the EU market. It follows a report from 2017 which found a high number of unsafe products for sale.

If adopted, the regulation would mean that online companies from outside the EU selling electrical and electronic goods into that market will face new compliance <u>obligations</u> under the RoHS Directive.

In a plenary session on 16 April, Parliament voted 562 in favour of the draft Commission Regulation on market surveillance and compliance of products. There were 60 votes against and 33 abstentions.

The new measures include an obligation on online companies to appoint an economic operator responsible for compliance for certain products.

Aidan Turnbull, director of online database BOMCheck for REACH and RoHS compliance declarations, recently said the obligation had become one of the most contentious aspects of the new draft regulation.

The operator is "responsible for compliance information" as a precondition for making products available on the EU market, he added.

The European Council will vote on the draft regulation in May.

Related Articles

• Draft EU enforcement regulation a RoHS compliance 'burden'

Further Information:

- Press release
- Draft regulation

Commission delays EDCs cosmetics priority list publication

23 April 2019 / EDCs, Europe, Personal care

The EU has delayed publication of its <u>priority list</u> of potential endocrine disruptors in cosmetics products until after the new European Commission takes office at the end of the year.

The list, which was initially planned for release in the first quarter of 2019, will comprise suspected EDCs that are not already banned from use in cosmetic products, or do not have specific prohibitions applicable to carcinogens, mutagens and reprotoxicant (CMR) substances.

At the end of 2018, the Commission drew up a preliminary list, based on a screening study carried out in the context of an impact assessment in the pesticides and biocides sectors.

The list was shared with the Commission's working group on cosmetic products in December, which generated further input.

Based on this, the EU executive conducted an internal analysis, consulted the Scientific Committee on Consumer Safety (SCCS) and identified a number of new potential EDCs in cosmetic products.

Once the list is published the Commission will launch a three-month open call for data. After that the SCCS could undertake a risk assessment, which may lead to possible regulatory measures for these substances if they are found to be unsafe for use in cosmetic products.

In November, a European Commission report said EU provisions to control endocrine disrupting chemicals in cosmetics are "adequate".

The report is part of the delayed review of the cosmetics products Regulation concerning substances with endocrine disrupting properties. The EU executive was under an obligation to deliver this by January 2015.

At the end of 2018, the Commission announced that it will launch a comprehensive screening of existing legislation related to endocrine disrupting chemicals, as part of a long-overdue <u>strategy</u> that targets harmonised identification

criteria and coherent policies.

MEPs have criticised the strategy and have <u>pressured</u> the EU executive to take concrete action on EDCs in toys,

cosmetics and FCM sectors by June 2020.

Related Articles

EU Commission: tools to address EDCs in cosmetics are 'adequate'

<u>EU outlines new strategy on EDCs</u>

EU Parliament urges next Commission to 'swiftly' tackle EDCs

US toxics agency requests toxicological profile nominations

24 April 2019 / Toxicology, United States

The US Agency for Toxic Substances and Disease Registry (ATSDR) has issued its annual request for public nominations for the next set of substances for which it will develop toxicological profiles.

The public have until 20 May to nominate substances found on the substance priority list (SPL) that they would like considered for review under the Comprehensive Environmental Response, Compensation, and Liability Act (Cercla).

The SPL identifies 275 hazardous substances that the agency and EPA have "determined pose the most significant current potential threat to human health".

The ATSDR will also consider nominations of substances not on the list that "may have public health implications". When proposing a non-SPL substance the nominee must include a rationale for its inclusion, however.

The agency points out that all comments on the agency request will be posted unchanged so advises against including any confidential business information (CBI) in the submission.

Last August, the ATSDR <u>announced</u> that its 29th set of draft toxicological profiles was available for review and comment. This included the four substances: tribufos; bromodichloromethane; bromomethane; and 2-hexanone.

Related Articles

US toxics agency releases draft profiles for four substances

Further Information:

Federal Register notice

Guest Column: What to expect from TSCA implementation in 2019

24 April 2019 / TSCA, United States

Alexandra Dapolito Dunn, US EPA Office of Chemical Safety and Pollution Prevention assistant administrator, discusses what to expect in 2019 including the implementation of section 6 of TSCA.



As Spring moves forward, so the EPA too continues to advance implementation of the 2016 Frank R Lautenberg Chemical Safety for the 21st Century Act amendments to TSCA.

As <u>assistant administrator</u> of the Office of Chemical Safety and Pollution Prevention (OCSPP), I can confidently attest to the talent, dedication and commitment to our mission to protect public health and the environment of the staff in OCSPP's three offices: the Office of Pesticide Programs (OPP), Office of Pollution Prevention and Toxics (OPPT) and Office of Science Coordination and Policy (OSCP). This focus and purpose will ensure that the OCSPP continues to make decisions that yield meaningful outcomes, supported by the highest and best use of science and the utmost transparency.

Our implementation of TSCA receives ongoing review, commentary, and input from all stakeholders. This includes manufacturers submitting new pre-manufacture notices (PMNs) and those waiting on PMN reviews to be completed, environmental organisations seeking information about the status of new and existing chemical reviews, members of Congress, other federal agencies, states, and the greater scientific community. Regular interface with all these groups is helping ensure continued progress.

Achievements to date

Nearly three years since the amendments became law, the EPA has made remarkable progress on TSCA implementation, including having successfully met all statutory deadlines, while at the same time producing high quality regulations and assessments.

'The agency is delivering results and meeting the ambitious requirements and responsibilities of the new law'

With a career team of around 300 staff and an excellent management team in the OPPT, the agency is delivering results and meeting the ambitious requirements and responsibilities of the new law. The OCSPP is continuing to seek input from all stakeholders on critical implementation elements of amended TSCA.

After extensive public engagement and comment, just a portion of our record to date includes:

 issuing the four framework rules addressing the prioritisation and risk evaluation processes, the inventory and fees;

- announcing the first ten chemicals for risk evaluation and issuance of scoping and problem formulation documents for each;
- releasing an updated TSCA Chemical Substance Inventory that designates every substance included as either 'active' or 'inactive' in US commerce;
- publishing the final strategy to reduce vertebrate animal testing;
- · finalising the mercury reporting rule;
- issuing three sets of guidance on confidential business information (CBI);
- announcing 20 high and 20 low priority chemicals to enter the prioritisation process;
- proposing reforms to make the chemical data reporting (CDR) rule less burdensome and more transparent;
- proposing the Confidential Business Information Review Plan rule;
- finalising the TSCA fees rule; and
- finalising a ban on manufacturing and retail sales of methylene chloride for consumer paint and coating removal
 the first risk management action under section 6 of new TSCA.

As 2019 progresses

Throughout 2019, we will be using the policies and procedural frameworks referenced above to execute our critical task of evaluating chemicals and managing risks. There is a large amount of ongoing work and important milestones this year that we fully expect to meet.

Prioritisation of next 40 chemicals

Having recently identified 40 chemical candidates for prioritisation (84 FR 10491), the EPA is currently seeking public comment. Based on this input, we expect to issue proposed and final priority designations for all 40 chemicals by the end of 2019. This is consistent with our responsibilities under TSCA to have 20 chemicals designated as high-priority and undergoing risk evaluations and 20 chemicals designated as low-priority within 3.5 years of the new law's effective date.

Our approach to identifying candidates for prioritisation was released in September 2018. Building on the agency's promise to work with the public to select the next chemicals for risk evaluation, this reflects public input received at a December 2017 meeting, and through the public docket a second public comment period last autumn.

Existing chemical risk evaluations

'The EPA is at an unprecedented and important stage in our implementation of section 6 of TSCA'

The EPA is at an unprecedented and important stage in our implementation of section 6 of TSCA as we work to complete ten chemical risk evaluations. After issuing the first draft risk evaluation for Pigment Violet-29 (PV-29) in November, we proceeded in 2019 to work with the manufacturers to increase public accessibility to PV-29 studies and to refine our application of our systematic review framework. We anticipate our TSCA Science Advisory Committee on Chemicals (SACC) will meet several times between June and October to complete its work on all ten risk evaluations.

As we work to refine the risk evaluations for the SACC's review, we are undertaking many analytical steps for the first time – most importantly determining whether or not these chemicals present unreasonable risks. Describing clearly this

draft determination is important, because of the statutory risk management implications of the final unreasonable risk determinations.

We are also preparing to solicit feedback from the National Academy of Sciences on our systematic review approach to TSCA risk evaluations. Finally, we are honing the process for receiving and evaluating for completeness manufacturer requests for risk evaluations, and already have interest from companies in submitting these requests.

Collection of fees to defray implementation costs

The EPA is now implementing the <u>TSCA fees rule</u>, which allows the EPA to collect fees from chemical manufacturers and importers for certain activities under TSCA sections 4, 5 and 6 to defray implementation costs.

The agency began doing so this year, and estimated an annual average of \$20m (\$15.5m) in fee revenue to supplement our Congressional appropriations and support the important work we do under TSCA.

Addressing PBT chemicals

The EPA believes that, as a general principle, the release to the environment of toxic chemicals that persist and bioaccumulate can be of greater concern than the release of those that do not behave thus.

In June 2019, we will meet another statutory deadline by proposing a rule addressing certain persistent, bioaccumulative and toxic chemicals identified for expedited action. The proposed rule will reduce exposures to the extent practicable for these five PBT chemicals. TSCA requires that the rule must be finalised 18 months later.

Transparency of chemical information

Ensuring greater public transparency of chemical information is a top priority, and the EPA is actively working to achieve this across all areas of TSCA implementation.

'The EPA will review all claims for confidentiality of a specific chemical name for all chemicals on the active portion of the TSCA Inventory'

Under our recently proposed rule for the TSCA CBI Review Plan, the agency will review all claims for <u>confidentiality</u> of a specific chemical name for all chemicals on the active portion of the TSCA Inventory. EPA is looking forward to comment on our proposal.

Additionally, in the coming months, my office will begin publishing on the internet much more information related to TSCA new chemical submissions than ever before. For example, the EPA is committed to publishing all new premanufacture notices (PMNs), their attachments and all relevant supporting documents in ChemView within 45 days of their receipt, following an evaluation of sensitive CBI.

The EPA is also committed to publishing notices about new chemical notifications in the *Federal Register* much faster than in the recent past, as well as publishing as soon as practicable each PMN reviewed subject to a final determination and the underlying documents.

The EPA's commitment to publish also extends to information about how the agency is complying with the TSCA CBI substantiation review requirements of the Frank R Lautenberg Chemical Safety for the 21st Century Act. The agency will also update its New Chemicals Decision-Making Framework and guidance document this year and hold a public meeting on our revision. As we work to fulfill these important commitments, as well as other related actions, my office will push for greater public transparency.

Improving the TSCA new chemical review process

The 2016 amendments required the EPA to make an affirmative finding on new chemicals (or significant new uses of existing chemicals) before those chemicals can enter the market or manufacturing/processing for new uses can begin.

These new review requirements became effective immediately. And the OCSPP has been working tirelessly since, to apply the standards to all reviews ongoing at that time and keep pace with a continuous stream of new submissions.

The EPA typically receives around 1,000 new chemical submissions each year and has approximately 300-350 cases under review at any given time. Given the significant changes in TSCA and review process, it has a larger than average number of cases ongoing. However, we are firmly committed to reducing this number and ensuring that EPA continues to meet its review obligations under TSCA.

We are confident that we are reviewing new chemical submissions in a manner consistent with the statutory framework, while striving to increase transparency of our decisions and rationale. Completing these reviews in a timely manner remains another top priority for the leadership in OCSPP and the agency. We are continuing to improve processes to meet new requirements in law. We also expect to release an updated version of our working approach to reviewing new chemical submissions in 2019 and will take public comment at that time.

I am proud of the work that the OCSPP has done, and will continue to do, to ensure greater chemical safety for the American people. Our actions in 2019 will continue to focus on:

- i) maintaining consistency with statutory requirements in TSCA;
- ii) increasing transparency in all our actions;
- iii) relying on the best available science; and
- iv) increasing public confidence in chemical safety.

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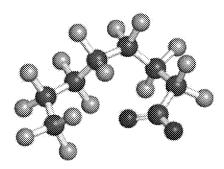
- Trump to appoint new head of EPA chemical safety office
- EPA publishes PMN receipts for November, December, January
- TSCA data release does little to end PV29 controversy
- EPA submits TSCA fees rule for review and approval
- US EPA issues proposal for CBI substantiation

Further Information:

- US EPA website: managing chemicals under TSCA
- TSCA CBI Review Plan Docket ID #EPA-HQ-OPPT-2018-0320

Singapore to regulate 11 chemicals as hazardous substances

Licensing and permits planned for 2020



Singapore's National Environment Agency (NEA) is preparing to place controls on 11 chemicals, in accordance with proposed updates by international conventions.

Ahead of next week's meeting of the parties to the Basel, Rotterdam and Stockholm Conventions, the NEA has been reviewing the chemicals of concern listed under these conventions. It intends to control them as hazardous substances under the Environmental Protection and Management Act (EPMA) and EPM (Hazardous Substances) Regulations.

The substances for review under the Stockholm Convention on persistent organic pollutants (POPs) are:

- pentadecafluorooctanoic acid (PFOA), its salts and PFOA-related compounds; and
- perfluorohexane sulfonic acid (PFHxS), its salts and PFHxS-related compounds.

PFOA, its salts and PFOA-related compounds are commonly used in the production of fluoroelastomers and fluoropolymers. PFOA-related compounds are used as surfactants and surface treatment agents in textiles, papers and paints and firefighting foams.

PFHxS, its salts and PFHxS-related compounds are used in consumer goods such as carpets, leather, apparel, textiles, firefighting foam, papermaking, printing inks, sealants and non-stick cookware.

Substances for review under the Rotterdam Convention on the Prior Informed Consent (Pic) procedure are:

- benzidine and its salts used in the manufacture of dyes, pigments and plastic films, and sometimes as a rubber compounding agent;
- bis(chloromethyl) ether used in the manufacture of polymers and flame retardant fabrics, and the surface treatment of vulcanised rubber;
- dinoterb a herbicide and rodenticide;
- amitraz an insecticide and acaricide;
- lambda-cyhalothrin an insecticide;
- atrazine a herbicide;
- paraquat and its salts a herbicide;
- acetochlor a herbicide; and
- hexazinone a herbicide.

Chemicals listed in Annex III of the Rotterdam Convention include industrial chemicals and pesticides that have been banned or severely restricted due to health or environmental reasons by two or more parties. The convention promotes the exchange of information on a wide range of hazardous chemicals, including those not yet included in Annex III.

Substances listed in Annex A-C of the Stockholm Convention will be subject to a global ban or restriction. The production, import, export and use of chemicals listed in Annex A will be prohibited and face a global ban, although there are some exemptions. The production and use of chemicals in Annex B will be restricted. Measures must be taken to reduce or eliminate the unintentional release of chemicals listed in Annex C.

If approved, the NEA plans to publish the details of how it intends to control these chemicals by June.

Importers, manufacturers and distributors will have to apply for a hazardous substance licence/permit if they wish to import, export, sell, store or use any of the chemicals or products that contain them.

This requirement will take effect six months after the NEA publishes the control measures and is planned for 2020.

The NEA notified the WTO of the proposals on 17 April.

Global concern on PFCs and related chemicals

Long-chain substances per- and polyfluorinated chemicals (PFCs), such as PFOA, have been identified as chemicals of concern due to their biopersistence and toxicity. But some NGOs are concerned that shorter-chain fluorine-based <u>substitutions</u> could have an equally negative impact.

Recently, the NGO Public Employees for Environmental Responsibility (PEER) called for the US to <u>stop imports</u> of new per- and polyfluoroalkyl substances (PFASs), until enough scientific information on the toxicity and environmental persistence could be provided.

The NGO noted that the number of PFASs imported had increased dramatically, following the voluntary phase-out of PFOA and PFOS.

On 27 March, China <u>banned</u> the production, sale, use, import and export of PFOA and its salts. They can still be used in accordance with the exceptions outlined in the Stockholm Convention on POPs factsheet



Ellen Tatham

Asia reporter

Related Articles

- Environmental protection and management act (2018 revision) Singapore
- Environmental protection and management (hazardous substances) regulations (2008)

- Feature: The extreme challenge of PFCs
- NGO seeks 'moratorium' on new PFASs in US
- Taiwan and China introduce controls on seven POPs
- Stockholm Convention factsheet lists POPs exemptions

Further Information:

- WTO notice
- Proposed Control of Chemicals Under Review by Multilateral Environmental Agreements

Industry group pushes for lead-free electronics in high reliability sectors

24 April 2019 / Electrical & electronics, United States

The Institute of Printed Circuits (IPC) has called on its frontline members to get involved in a push to make electronics in high reliability sectors lead-free.

The global trade association is looking to secure \$15m in federal funding for research and development in the use of lead-free solders and components in the aerospace, defence and high performance (ADHP) electronics sectors.

Working with a consortium of manufacturers and academic institutions, and more than a dozen US congressional offices, the IPC wants to kick start an earlier R&D programme that stalled following US defence department cuts.

It says that, unlike the commercial electronics sector where the EU's RoHS Directive has been a major driver towards lead-free, the ADHP electronics sectors remain reliant on lead solders and components, because products here have more demanding performance requirements.

"They need to perform flawlessly in harsh environments and in safety-related applications," the IPC says in a blog post. There is not enough data currently on the performance of lead-free products, it adds.

However, the post says: "Key stakeholders, including government entities, have not invested in the science to understand how to achieve symmetry and interchangeability between lead and lead-free electronics."

The association has filed formal funding requests and encouraged its members to lobby members of Congress. It hopes to get its proposals into a defence appropriations bill, which will be sent to the president for signature by late summer.

The IPC has 4,300 electronics industry member companies working in design, printed board manufacturing, electronics assembly and testing.

Further Information:

Blog post

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OTHER ARTICLES

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Mountain Grove News Journal

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